

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
:
W. et al., :
Plaintiffs, : **ORDER**
: 21 Civ. 11208 (VEC) (GWG)
:
-v.- :
:
NEW YORK CITY DEPARTMENT OF :
EDUCATION :
:
Defendants. :
-----X

GABRIEL W. GORENSTEIN, United States Magistrate Judge:

In accordance with the provisions of 28 U.S.C. § 636(c) and Fed. R. Civ. P. 73, a United States Magistrate Judge is available to conduct all proceedings in this case, including but not limited to any decisions on motions, any jury or nonjury trial, and/or the entry of a final judgment. An appeal from a judgment entered by a Magistrate Judge, if any, is taken directly to the United States Court of Appeals in the same manner as an appeal from any other judgment of this district court.

It is the practice of the United States Magistrate Judges of this Court, including the undersigned, that cases that go to trial are given a firm trial date (rather than being placed on a “ready trial” list requiring the parties to be ready to try the case on short notice).

Exercise of jurisdiction by a Magistrate Judge is permitted only if all parties voluntarily consent. To determine whether the parties wish to voluntarily consent, defense counsel is directed to send to counsel for plaintiff on or before December 27, 2022, a copy of the attached consent form bearing either (1) a signature indicating consent to the Magistrate Judge conducting all proceedings in this matter or (2) a notation that the defendant does not consent.

On or before January 3, 2023 plaintiff’s counsel is directed to file a letter either (1) stating that all parties have signed the form and attaching that form or (2) stating that all parties have not consented. If any party has not consented, the letter shall not inform the Court which of the parties have not consented but shall merely state that there has not been consent by all parties

This Order is not intended to interfere with the parties’ right to have a trial and/or any other dispositive proceedings before a United States District Judge. The parties are free to withhold their consent without adverse substantive consequences, although this will prevent the Court’s jurisdiction from being exercised by a United States Magistrate Judge. If any party withdraws consent, the identity of the parties consenting or withholding consent shall not be communicated to any Magistrate Judge or District Judge to whom the case has been assigned.

SO ORDERED

DATED: New York, New York
December 13, 2022


GABRIEL W. GORENSTEIN
United States Magistrate Judge

UNITED STATES DISTRICT COURT
for the
Southern District of New York

W.)
<i>Plaintiff</i>)
v.)
New York City Department of Education)
<i>Defendant</i>)

NOTICE, CONSENT, AND REFERENCE OF A CIVIL ACTION TO A MAGISTRATE JUDGE

Notice of a magistrate judge's availability. A United States magistrate judge of this court is available to conduct all proceedings in this civil action (including a jury or nonjury trial) and to order the entry of a final judgment. The judgment may then be appealed directly to the United States court of appeals like any other judgment of this court. A magistrate judge may exercise this authority only if all parties voluntarily consent.

You may consent to have your case referred to a magistrate judge, or you may withhold your consent without adverse substantive consequences. The name of any party withholding consent will not be revealed to any judge who may otherwise be involved with your case.

Consent to a magistrate judge's authority. The following parties consent to have a United States magistrate judge conduct all proceedings in this case including trial, the entry of final judgment, and all post-trial proceedings.

Printed names of parties and attorneys

Signatures of parties or attorneys

Dates

Reference Order

IT IS ORDERED: This case is referred to a United States magistrate judge to conduct all proceedings and order the entry of a final judgment in accordance with 28 U.S.C. § 636(c) and Fed. R. Civ. P. 73.

Date: _____

District Judge's signature

Printed name and title

Note: Return this form to the clerk of court only if you are consenting to the exercise of jurisdiction by a United States magistrate judge. Do not return this form to a judge.